

EXHIBIT 6

State of Washington)
) ss
County of Ferry)

I, JEAN BOOHER, County Clerk and Ex-Officio Clerk of the Superior Court of the State of Washington, for Ferry County, holding session at Republic, do hereby certify that the foregoing is a true and correct copy of the original as the same appears on file and of record in my office. IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Court this

9th day of July 2012

JEAN BOOHER
County Clerk, Ferry County, State of Washington

By Chris Burnside Deputy

The Honorable Allen Nielson
Hearing Date: June 8, 2012
Hearing Time: 10:00 a.m.
Ferry County

FILED CLERKS OFFICE
FERRY COUNTY

JUN 08 2012

JEAN BOOHER

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF FERRY

JOSEPH A. CONNOR, III,

Plaintiff,

v.

GMAC MORTGAGE, LLC, et. al.

Defendants.

Case No. 11-2-00098-6

~~(PROPOSED)~~ ORDER RE
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT AND MOTION
FOR SANCTIONS

On June 8, 2012, defendants' Motion for Summary Judgment regarding plaintiff's Second Claim for Relief and defendants' Motion for Sanctions regarding plaintiff's refusal to voluntarily dismiss his Second Claim for Relief came before the court. Defendants were represented by and appeared through their counsel, William G. Fig. Plaintiff did/did not appear at the hearing. The court, having heard the oral argument of the parties present, being fully advised, and having considered the following pleadings filed by the parties:

1. Plaintiff's Amended Complaint and exhibits thereto;
2. Defendants' Motion for Summary Judgment;
3. The Declaration of William G. Fig filed in support of Defendants' Response to Plaintiff's *Lis Pendens* Motion and the exhibits attached thereto; and

(PROPOSED) ORDER RE DEFENDANTS' MOTIONS
FOR SUMMARY JUDGMENT AND MOTION FOR
SANCTIONS - Page 1

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TELEPHONE (503) 227-1111
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1 4. The Declaration of Roberto Montoya filed in support of Defendants' Motion
2 for Summary Judgment and in support of Defendants' CR 11 Motion for
3 Sanctions and the exhibits attached thereto.

4 hereby **ORDERS, ADJUDGES AND DECREES** as follows:

5 (1) defendants' Motion For Summary Judgment is GRANTED. Plaintiff's Second
6 Claim for Relief is dismissed with prejudice.

7 (2) defendants' Motion for Sanctions against plaintiff under CR 11 is GRANTED.
8 Defendants' counsel advised plaintiff, in writing, both before and after the filing of
9 Defendants' Motion for Summary Judgment, that plaintiff's Second Claim for Relief was
10 improper because it was barred by a previous settlement agreement entered into
11 between plaintiff and defendants. Plaintiff refused defendants' multiple requests to
12 voluntarily dismiss his Second Claim for Relief. The court finds that plaintiff's Second
13 Claim for Relief violated CR 11 because it is clearly barred by the settlement agreement
14 signed by plaintiff and because it is not well grounded in fact, is not warranted by
15 existing law, nor is it based on a good faith argument for the extension, modification, or
16 reversal of existing law or the establishment of new law. Defendants are awarded
17 sanctions against plaintiff in the amount of ~~\$5,000.00~~ ⁷¹ and defendants' reasonable costs
18 incurred in filing their Motion for Summary Judgment and interacting with plaintiff
19 regarding this claim for relief.

20 Dated this 8th day of June, 2012.

21
22 Superior Court Judge

Allen C. Nielson

23 Presented In Open Court By:

24 SUSSMAN SHANK LLP

25 By

26 William G. Fig, WSBA 33943
billf@sussmanshank.com
Attorneys for Defendants

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(PROPOSED) ORDER RE DEFENDANTS' MOTIONS
FOR SUMMARY JUDGMENT AND MOTION FOR
SANCTIONS - Page 2

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CERTIFICATE OF SERVICE

THE UNDERSIGNED certifies:

1. My name is Karen D. Muir. I am a citizen of Washington County, state of Oregon, over the age of eighteen (18) years and not a party to this action.
2. On June 1, 2012, I caused to be delivered via **FIRST CLASS MAIL** a copy of **(PROPOSED) ORDER RE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND MOTION FOR SANCTIONS** to the interested parties of record, addressed as follows:

Joseph A. Connor III
PO Box 1474
Cobb, CA 95426

I SWEAR UNDER PENALTY OF PERJURY that the foregoing is true and correct to the best of my knowledge, information, and belief.


Karen D. Muir, Legal Assistant

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